

**REMARKS**

The application has been reviewed in light of the Office Action mailed October 6, 2005. Claims 1-39 remain pending. Claims 1, 5, 8-12, 14-16, 18, 21-25, 33, and 38 have been amended. Reconsideration and withdrawal of all outstanding rejections and objections are requested in light of the foregoing amendments and the following remarks.

As requested, FIG. 1 of the drawings has been amended to include more readable descriptions for each of the parts, as shown in the Replacement set of drawings submitted herewith. Applicants respectfully request that the Examiner acknowledge that the drawings are acceptable in the next substantive response.

Claim 25 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 25 has been amended to correct any indefiniteness, and withdrawal of the rejection is requested.

Claims 1-4, 8 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,457,493 to Leddy et al ("Leddy").

Independent claim 1 relates to an apparatus for testing image sensors. Claim 1 has been amended to recite that the apparatus includes "focusing optics capable of splitting one of said digital test images." Leddy does not teach or suggest an apparatus for testing image sensors that includes the claimed "focusing optics capable of splitting one of said digital test images." For at least these reasons, withdrawal of the rejection is respectfully requested.

Claims 1-8, 10-15, 17-20, 22-31, 33-37, and 39 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,596,185 to Bross et al. ("Bross") in view of U.S. Patent No. 5,694,053 to Smith ("Smith").

The present invention relates to an apparatus and method(s) for testing image sensors. Claim 1 recites an apparatus for testing image sensors comprising "focusing optics capable of splitting one of said digital test images." Independent claim 10 relates to an apparatus for simultaneously testing a plurality of image sensors comprising "an image generator for generating static and dynamic digital test images and a test image director for simultaneously directing one of said static and dynamic images onto a plurality of image sensors." Independent

claim 18 relates to an apparatus for automated image sensor comprising “a digital light processing control system. . . and an image sensor signal detector.” Independent claim 22 relates to a method of testing image sensors comprising the act of “splitting [a] digital test image into a plurality of images; [and] applying one of said plurality of images onto at least one image sensor.” Finally, independent claim 33 recites a method of simultaneously testing a plurality of image sensor comprising the act of “applying an identical generated image onto each of a plurality of image sensors.”

Applicants submit that none of the references of record, whether considered alone or in combination, teach or suggest each of the claim limitations, including the above-cited limitations, recited by independent claims 1, 10, 18, 22, and 33. In addition, Applicants submit that the combination of Bross and Smith suggested in the Office Action is inappropriate under the standards of obviousness as set forth in M.P.E.P. § 2143 for the reasons that follow.

Bross relates to a testing apparatus for testing infrared sensors in target tracking seeker heads. Bross teaches generating a picture by applying a permanent light source in the infrared range to a plurality of mirror elements which can be tilted in one of two operative positions. Col. 2, lines 10-40. Smith, on the other hand, relates to testing an active matrix of sensor electrodes for a liquid crystal display. Smith teaches use of a test plate (14) that has charge-sensing electrodes (21) that are vertically aligned with a plurality of display electrodes (10) that are to be assembled as a liquid crystal display. (With reference to FIG. 7 and accompanying text). In the passage cited by the Office Action, (col. 7, lines 5-10), Smith teaches that the charge-sensing electrodes can be exchanged with light-emitting elements and the display electrodes would be exchanged with an array of photosensors under test.

There is no objective motivation or suggestion to combine the infrared light testing device employing a micro-mirror array for generating an image as taught by Bross with the test plate apparatus employing (visible) light emitting elements vertically aligned with photosensors under test. In fact, to combine these teachings would require a modification of one or both of the references that would “change the principle of operation of the prior art invention being modified.” M.P.E.P. §2143.01 (citing *In Re Rattio*, 270 F.2d 810 (CCPA 1959)). For at least these reasons, the combination of references suggested in the Office Action does not render obvious the claimed invention.

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In view of the above amendment, Applicants believe that the pending application is in condition for immediate allowance.

Dated:

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Megan S. Woodworth

Registration No.: 53,655

DICKSTEIN SHAPIRO MORIN & OSHINSKY  
LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant